

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, June 21, 2011, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Vice-Mayor Benjamin K. Mallicote

Alderman Charles K. Marsh, Jr.
Alderman Tom C. Parham
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Michael Thompson, Assistant Public Works Director.
- II.B. **INVOCATION:** By Paul Becker, Pastor – Concordia Lutheran Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent: Alderman Larry A. Munsey.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. **CITY OF KINGSFORT – TENNESSEE MUNICIPAL LEAGUE ACHIEVEMENT AWARD FOR COMMUNITY PROGRESS** – Mayor Dennis Phillips
 2. **RECOGNITION OF SERVICE FOR C. KEN MARSH, JR.** – Mayor Dennis Phillips announced there would be a reception for the outgoing and incoming aldermen on July 5th.
 3. **BEAUTIFICATION AWARDS, KEEP KINGSFORT BEAUTIFUL** – Lea Ann Rasar, Robin Cleary and Vice-Mayor Mallicote presented these awards for the month of June.
 4. **VIETNAM VETERANS HOMECOMING PROCLAMATION** – Mayor Dennis Phillips recognized Veterans Jerry Allen and Chris Morehouse.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Marsh/Joh, to approve minutes for the following meetings:

- A. June 6, 2011 Regular Work Session
- B. June 7, 2011 Regular Business Meeting

Approved: All present voting "aye."

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VI. COMMUNITY INTEREST ITEMS.

AA. PUBLIC HEARINGS.

1. Public Hearing for Annexation Annual Plan of Services Report
(AF: 121-2011). City Planner Forrest Koder provided an update on this report, highlighting the progress in nine annexation areas.

PUBLIC COMMENT ON ITEM VI.AA.1. None.

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Amend Various Projects
(AF: 148-2011).

Motion/Second: Parham/Mallicote, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND, GENERAL PROJECT FUND, AND THE SEWER PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Consideration of a Budget Ordinance to Appropriate Approved Funds from Performance Vista Inc. in the Amount of up to \$25,000 for Reimbursement Costs for Travel During Mentoring/Partnering Activities with Agencies Involved in Targeted Community Crime Reduction Grants
(AF: 158-2011). City Manager Campbell stated this grant was in addition to the Byrne grant.

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY ESTABLISHING THE TRAVEL EXPENSE/BYRNE GRANT PROJECT FOR APPROVED FUNDS FROM PERFORMANCE VISTA INC. FOR THE YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Adopt the FY11-12 Budget
(AF: 134-2011).

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Motion/Second: Parham/Joh, to pass.

ORDINANCE NO. 6085, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

2. Consideration of an Ordinance to Adopt the FY11-12 Water Fund Budget (AF: 135-2011).

Motion/Second: Joh/Parham, to pass.

ORDINANCE NO. 6086, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL WATER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

3. Consideration of an Ordinance to Adopt the FY11-12 Sewer Fund Budget (AF: 136-2011).

Motion/Second: Parham/Shupe, to pass.

ORDINANCE NO. 6087, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL SEWER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

D. OTHER BUSINESS.

1. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with KEDB for the Downtown Parking Garage (AF: 168-2011). City Manager Campbell gave details on this item, noting this purchase agreement did not include 10,000 square feet of retail space on Center Street. There will be 364 parking spaces, with a revenue stream from the lease of 40 spaces and also from an unoccupied 1600 square feet on the corner of Shelby Street and Market Street.

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2011-242, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE FOR THE PURCHASE OF REAL PROPERTY

Passed: All present voting "aye."

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2. Consideration of a Resolution by the City of Kingsport Expressing Support of Complete Streets and the Development of a Complete Streets Guidelines Manual (AF: 126-2011). Vice-Mayor Mallicote provided details on this item, noting this initiative encourages cities to build, rebuild and refurbish streets to accommodate all modes of transportation and to make them accessible to all users. Mr. Mallicote further stated this merely formalized what Kingsport's Metropolitan Planning Organization has been doing all along.

Motion/Second: Mallicote/Shupe, to pass:

Resolution No. 2011-243, A RESOLUTION BY THE CITY OF KINGSPORT EXPRESSING SUPPORT OF COMPLETE STREETS AND THE DEVELOPMENT OF A COMPLETE STREETS GUIDELINES MANUAL

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing the Mayor to Sign a Contract with the Virginia Department of Transportation (VDOT) Accepting Federal and State Transportation Planning Funds on Behalf of the Kingsport MPO (AF: 144-2011). City Manager Campbell gave an update on this item, noting that a small part of Virginia was located in our Metropolitan Planning Organization.

Motion/Second: Parham/Mallicote, to pass:

Resolution No. 2011-244, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF KINGSPORT AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL HIGHWAY ADMINISTRATION PL-112 PLANNING FUNDS FOR USE BY THE KINGSPORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR FISCAL YEAR 2012 AND ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed: All present voting "aye."

4. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a DOJ – Office of Justice Programs/Bureau of Justice Assistance Bullet Proof Vest (BPV) Reimbursement Grant (AF: 146-2011). City Manager Campbell provided details on this item, noting that the required 50% match was in the budget.

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2011-245, A RESOLUTION APPROVING AN APPLICATION FOR AND RECEIPT OF A UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE BULLET PROOF VEST (BPV) REIMBURSEMENT GRANT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR SUCH APPLICATION AND RECEIPT OF GRANT FUNDS

Passed: All present voting "aye."

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5. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive a Grant for \$30,687 from the Department of Justice Edward Byrne Memorial Justice Assistance Program (JAG) FY11 Local Solicitation – Number 2011-H3450-TN-DJ (AF: 147-2011).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2011-246, A RESOLUTION APPROVING AN APPLICATION FOR AND RECEIPT OF AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE PROGRAM (JAG) FY 2012 LOCAL SOLICITATION GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR SUCH APPLICATION AND RECEIPT OF GRANT FUNDS

Passed: All present voting "aye."

6. Consideration of a Resolution Authorizing the Mayor to Execute an Amendment to the Contract Between the City of Kingsport and the Tennessee Department of Environment and Conservation (TDEC) (AF: 149-2011). City Manager Campbell provided details on this item, stating this was assurance to TDEC that money will be set aside to take care of the landfill for 30 years once it is closed. Alderman Marsh commented on contingent liabilities, referencing information provided by City Recorder Demming.

Motion/Second: Parham/Joh, to pass:

Resolution No. 2011-247, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EXISTING CONTRACT WITH THE STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION REVISING THE AMOUNT OF FINANCIAL ASSURANCE REQUIRED FOR THE CITY OF KINGSFORT DEMOLITION LANDFILL LOCATED ON BROOKSIDE DRIVE

Passed: All present voting "aye."

7. Consideration of a Resolution Authorizing the Mayor to Execute Agreements with Various Agencies and Organizations for Services in FY11-12 Benefiting the General Welfare of Kingsport Residents (AF: 141-2011). Alderman Marsh commented on this item, stating that once an agency is on the list it does not go away. Alderman Parham noted the establishment of performance criteria.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-248, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR SERVICES IN FISCAL YEAR 2011-2012 BENEFITING THE GENERAL WELFARE OF KINGSFORT RESIDENTS

Passed: All present voting "aye."

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8. Consideration of a Resolution Awarding the Bid for the Purchase of Unleaded Gasoline for Use by All City Departments and Schools to James River Solutions, Inc. (AF: 152-2011).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2011-249, A RESOLUTION AWARDING THE BID FOR PURCHASE OF UNLEADED GASOLINE FOR USE IN CITY EQUIPMENT AND VEHICLES TO JAMES RIVER SOLUTIONS, INC. FOR FISCAL YEAR 2012

Passed: All present voting "aye."

9. Consideration of a Resolution Awarding the Bid for the Purchase of Ultra Low Sulfur Diesel and B5 Biodiesel Fuel to Petroleum Traders Corporation, Inc. (AF: 153-2011).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2011-250, A RESOLUTION AWARDING THE BID FOR PURCHASE OF ULTRA LOW SULFUR DIESEL AND B5 BIODIESEL FUEL FOR USE IN CITY EQUIPMENT AND VEHICLES TO PETROLEUM TRADERS CORPORATION, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME; AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURCHASE

Passed: All present voting "aye."

10. A Resolution Awarding the Bid for the Purchase of Crushed Stone for Use by All City Departments to Vulcan Construction Materials, LP and Aggregates USA, LLC (AF: 154-2011). City Manager Campbell provided details on this item, noting the use of two bidders to protect the City if something happens to the first one. He further stated it was beneficial in the case where one vendor might be closer to the work being done than the other.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-251, A RESOLUTION AWARDING THE BID FOR PURCHASE OF CRUSHED STONE TO VULCAN CONSTRUCTION MATERIALS, LP AND AGGREGATES USA, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

11. Consideration of a Resolution Awarding the Bid for the Purchase of Asphalt for Use by All City Departments to W-L Construction and Paving Co., Inc. and Pavewell Paving Co., Inc. (AF: 155-2011).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2011-252, A RESOLUTION AWARDING THE BID FOR PURCHASE OF ASPHALT TO W-L CONSTRUCTION AND PAVING COMPANY, INC. AS PRIMARY VENDOR AND PAVEWELL PAVING COMPANY AS SECONDARY

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VENDOR AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

12. Consideration of a Resolution Awarding the Bid for the Purchase of 8.5" x 11" 20 Lb. Copier Paper to Janpak, Inc. (AF: 156-2011). City Manager Campbell stated this bid was for the City departments as well as for the school system, noting the use of 3800 boxes in response to a question from Alderman Joh.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-253, A RESOLUTION AWARDED THE BID FOR PURCHASE OF LETTER SIZE, 20 POUND COPIER PAPER FOR FISCAL YEAR 2012 FOR USE BY THE CITY AND KINGSFORT CITY SCHOOLS TO JANPAK, INC.

Passed: All present voting "aye."

13. Consideration of a Resolution to Authorize the Mayor to Execute All Documents Necessary to Apply for and Receive a Tennessee Department of Health Grant (AF: 167-2011). City Manager Campbell provided an update for this item, noting \$250,000 would be made to the Aquatic Center project. Mr. Campbell further clarified for Alderman Marsh that the match is in the existing budget.

Motion/Second: Joh/Parham, to pass:

Resolution No. 2011-254, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE DEPARTMENT OF HEALTH GRANT

Passed: All present voting "aye."

14. Consideration of a Resolution Awarding the Bid for the Purchase of Various Janitorial Supplies to Janpak, Inc. (AF: 159-2011).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2011-255, A RESOLUTION AWARDED THE BID FOR PURCHASE OF VARIOUS JANITORIAL SUPPLIES FOR FISCAL YEAR 2012 FOR USE BY THE CITY AND KINGSFORT CITY SCHOOLS TO JANPAK PAPER SUPPLY COMPANY AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

15. Consideration of a Resolution Awarding the Bid for Milk and Dairy Products for the Kingsport City Schools Food and Nutrition Services and Authorizing the Mayor to Sign All Applicable Documents (AF: 160-2011).

Motion/Second: Parham/Joh, to pass:

Resolution No. 2011-256, A RESOLUTION AWARDED THE BID FOR MILK , DAIRY AND ICE CREAM PRODUCTS FOR THE KINGSFORT SCHOOLS FOOD AND

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NUTRITION SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS FOR THE SAME

Passed: All present voting "aye."

16. Consideration of a Resolution Authorizing the Issuance of a Purchase Order for the Purchase of Instructional Equipment to D & H Distributing Co. (AF: 161-2011). City Manager Campbell noted this would be utilized to purchase small calculators used to help teach math.

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2011-257, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR INSTRUCTIONAL EQUIPMENT TO D & H DISTRIBUTING COMPANY FOR KINGSFORT SCHOOLS

Passed: All present voting "aye."

17. Consideration of a Resolution Authorizing the Issuance of a Purchase Order for the Purchase of an In-Building Distributed Antenna System for John Adams Elementary School (AF: 162-2011). City Manager Campbell confirmed for Mayor Phillips this item was included in the school budget.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-258, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO MOTOROLA FOR AN IN-BUILDING DISTRIBUTED ANTENNA SYSTEM FOR JOHN ADAMS ELEMENTARY SCHOOL

Passed: All present voting "aye."

18. Consideration of a Resolution Approving a Lease Agreement with Eastman Chemical Company and Authorizing the Mayor to Execute the Agreement and All Applicable Documents (AF: 170-2011). City Manager Campbell gave details on this item, stating the result would be a regional fire training facility, noting cooperation all the way to Newport. Alderman Parham pointed out that space would be freed up to allow the Riverwalk project to go forward.

Motion/Second: Joh/Parham, to pass:

Resolution No. 2011-259, A RESOLUTION APPROVING A LEASE AGREEMENT WITH EASTMAN CHEMICAL COMPANY AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL APPLICABLE DOCUMENTS TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

19. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with KEDB for the Central Office of the School Department (AF: 171-2011). City Manager Campbell stated this contract was necessary to move forward, guaranteeing the Kingsport Economic Development Board the City will buy back the portion not allocated.

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Motion/Second: Joh/Parham, to pass:

Resolution No. 2011-260, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE FOR THE PURCHASE OF REAL PROPERTY

Passed: All present voting "aye."

20. Consideration of a Resolution Authorizing a Funding Agreement with Sullivan County and KEDB and Authorizing the Mayor to Execute the Same (AF: 172-2011). City Attorney Billingsley provided details on this item, noting the opportunity for major economic development. Mr. Billingsley stated this would ensure the Kingsport Economic Development Board will have financial backing to purchase a building near the airport so that they may lease it to a company planning on investing 11 million dollars and creating 450 jobs. The city and the county will pay \$150,000 a year to KEDB for the building should the company default. Sullivan County has already approved this with a unanimous vote. He mentioned the only change from the original agreement discussed in December is that the 20 year lease is now a 10 year lease with two 5-year extensions. Alderman Marsh commented there was still a risk. Mayor Phillips pointed out that the City would still own the building.

Motion/Second: Joh/Mallicote, to pass:

Resolution No. 2011-261, A RESOLUTION APPROVING A FUNDING AGREEMENT AMONG THE CITY OF KINGSFORT, SULLIVAN COUNTY AND THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE FOR THE PURCHASE OF REAL PROPERTY FOR THE C&F AUTOMOTIVE, LTD. PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE SAME AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO MAKE CHANGES THAT DO NOT SUBSTANTIALLY ALTER THE MATERIAL PROVISIONS OF THE AGREEMENT

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

The following five items were considered under one motion.

1. Consideration of Appointments to the Demolition by Neglect Committee (AF: 112-2011).

Motion/Second: Marsh/Joh, to approve the following:

APPOINTMENTS OF MR. DAVID EDWARDS, MS. LIZA HARMON AND MS. JEWELL MCKINNEY TO SERVE ON THE **DEMOLITION BY NEGLECT COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING JUNE 30, 2013. MS. HARMAN AND MS. MCKINNEY WILL BE CO-APPOINTED TO REPRESENT THE **HISTORICAL ZONING COMMITTEE**.

Passed: All present voting "aye."

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**2. Consideration of an Appointment and Reappointments to the
Tree Advisory Board (AF: 163-2011).**

Motion/Second: Marsh/Joh, to approve the following:

APPOINTMENT OF MR. MICHAEL WOODY AND REAPPOINTMENTS OF MS. CHRISTINE BARGER, MR. DAVE BURKE AND MR. DAVE PETKE TO SERVE ON THE **TREE ADVISORY BOARD** EFFECTIVE JULY 1, 2011 AND EXPIRING JUNE 30, 2013.

Passed: All present voting "aye."

**3. Consideration of Reappointments to the Board of Electrical
Examiners (AF: 164-2011).**

Motion/Second: Marsh/Joh, to approve the following:

REAPPOINTMENTS OF MR. JIM HAUN AND MR. DOUG GILLIAM ON THE **BOARD OF ELECTRICAL EXAMINERS**. MR. HAUN'S REAPPOINTMENT WILL BE EFFECTIVE IMMEDIATELY AND WILL EXPIRE ON APRIL 30, 2013. MR. GILLIAM'S REAPPOINTMENT WILL BE EFFECTIVE JULY 1, 2011 AND WILL EXPIRE ON JUNE 30, 2013.

Passed: All present voting "aye."

**4. Consideration of an Appointment to the Regional Planning
Commission (AF: 165-2011).**

Motion/Second: Marsh/Joh, to approve the following:

APPOINTMENT OF MR. E.O. BREEDING ON THE **REGIONAL PLANNING COMMISSION**. MR. BREEDING WILL BE FULFILLING ALDERMAN-ELECT MCINTIRE'S UNEXPIRED TERM. HIS APPOINTMENT WILL BE EFFECTIVE JULY 1, 2011 AND WILL EXPIRE ON JUNE 30, 2014.

Passed: All present voting "aye."

**5. Consideration of Reappointment to the Public Art Commission
(AF: 169-2011).**

Motion/Second: Marsh/Joh, to approve the following:

REAPPOINTMENT OF MS. LISA ANNE MILHORN ON THE **PUBLIC ART COMMISSION**. HER REAPPOINTMENT WILL BE EFFECTIVE JULY 1, 2011 AND WILL EXPIRE ON JUNE 30, 2013.

Passed: All present voting "aye."

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion. Item VII.5 was pulled from the consent agenda at the request of Alderman Marsh for further discussion and was considered under a separate motion.

Motion/Second: Mallicote/Shupe, to adopt:

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1. Consideration of an Ordinance Accepting the Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the U.S. Department of Homeland Security (AF: 88-2011).

Adopt:

Ordinance No. 6088, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM U.S. DEPARTMENT OF HOMELAND SECURITY FOR THE YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

2. Consideration of a Budget Ordinance to Appropriate Funds Received by South Central Kingsport Weed and Seed Corporation (AF: 120-2011).

Adopt:

Ordinance No. 6089, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM SOUTH CENTRAL WEED AND SEED; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

3. Consideration of an Ordinance Providing for the FY12 Community Development Block Grant Budget (AF: 128-2011).

Adopt:

Ordinance No. 6090, AN ORDINANCE TO APPROPRIATE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

4. Consideration of an Ordinance Providing for the FY12 Emergency Shelter Grant Budget (AF: 129-2011).

Adopt:

Ordinance No. 6091, AN ORDINANCE TO APPROPRIATE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT EMERGENCY SHELTER GRANT FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

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5. Consideration of an Ordinance Amending Imposition of Court Costs in Certain Cases (AF: 145-2011). Alderman Marsh pointed out this was in regards to the red light camera program, noting the improvement of driver behavior since the program began, which corresponds to less revenue. The recent change in state legislation also reduces revenue by \$200,000. City Manager Campbell discussed the efforts that will be made to meet this challenge.

Adopt: Mallicote/Parham:

Ordinance No. 6092, AN ORDINANCE TO AMEND SECTION 34-33 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, TO PROVIDE FOR ESTABLISHING COURT COSTS BY ORDINANCE; TO PROVIDE FOR IMPOSITIONS OF COURT COSTS FOR CITATIONS ISSUED PURSUANT TO AUTOMATED ENFORCEMENT SET OUT IN SECTION 102-55 OF THE CODE OF ORDINANCES; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

6. Consideration of an Ordinance to Adopt the FY11-12 Metropolitan Planning Project Grant Budget (AF: 139-2011).

Adopt:

Ordinance No. 6093, AN ORDINANCE TO APPROPRIATE METROPOLITAN PLANNING GRANT PROJECT FUNDS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

7. Consideration of an Ordinance to Adopt the FY11-12 Special Schools Projects Grant Fund Budget (AF: 137-2011).

Adopt:

Ordinance No. 6094, AN ORDINANCE TO ESTABLISH SPECIAL SCHOOL GRANT PROJECT FUND 145 FOR SPECIAL SCHOOL PROJECTS GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

8. Consideration of an Ordinance to Adopt the FY11-12 School Public Law 93-380 Grant Project Fund Budget (AF: 138-2011).

Adopt:

Ordinance No. 6095, AN ORDINANCE TO ESTABLISH PL93-380 GRANT PROJECT FUND FOR THE PL93-380 GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

9. Consideration of an Ordinance to Adopt the FY11-12 Urban Mass Transit Budget (AF: 140-2011).

Adopt:

Ordinance No. 6096, AN ORDINANCE TO APPROPRIATE URBAN MASS TRANSIT GRANT PROJECT FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Campbell stated his appreciation in working with Alderman Marsh over the last five years, noting he always put the City first.

B. MAYOR AND BOARD MEMBERS. Alderman Parham pointed out that after going to TML (Tennessee Municipal League) last week, he appreciated how this board has been able to manage debt but keep progress going. He also gave credit to Alderman Marsh and Alderman Munsey.

Vice-Mayor Mallicote commented that although he and Alderman Marsh have disagreed, they have always walked out as friends. Mr. Mallicote thanked him for his service, noting his position was always thought out and should be taken seriously.

Alderman Shupe remarked it was an honor to serve with Alderman Marsh.

Alderman Joh pointed out that she has known Ken Marsh since he was 14 years old and he hasn't changed a bit. She also noted that she was surprised to agree with him most of the time.

Mayor Phillips observed that the best boards do not have a 7-0 vote all the time, noting that even when they disagreed, they never failed to walk out laughing. He also commented that he never had to look at the numbers because he knew that Ken would. Mr. Phillips further stated that Alderman Marsh and Alderman Munsey would be sorely missed.


Alderman Marsh stated he has lived in Kingsport all his life and his father was once the City Manager. Mr. Marsh pointed out that when he started on the board 12 years ago, City Attorney Billingsley was the only other person sitting at the table that is still here now. He further stated he has learned a lot from everyone and believes the City has a great staff with competent, interested

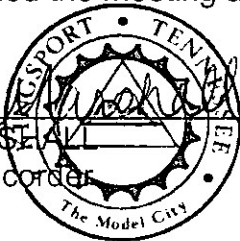
**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 21, 2011**

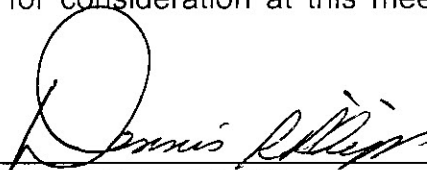
and committed leadership. In conclusion, Mr. Marsh asked the Board to spend tax money wisely and raise taxes only as a last resort. He also requested the Board to work on paring down the debt and live within their means.

C. VISITORS. Barbara Brown commended Alderman Marsh for his service, honesty and compassion for the City of Kingsport and stated she appreciated both he and Alderman Munsey.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:30 p.m.


ANGELA MARSHALL
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor